IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE THOTTATHIL B.RADHAKRISHNAN

THURSDAY, THE 22ND FEBRUARY 2007 / 3RD PHALGUNA 1928

WP(C).No. 5746 of 2007(H)

PETITIONER:
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1. KURIAN ABRAHAM VELLARIMATTATHIL
   FLAT NO.2C, CONCERT-O-CASTLE,
   PANAMPILLY NAGAR, KOCHI-36.

2. PHILOMENA KURIAN ATHIPOZHIL,
   FLAT NO.2 C, CONCERT-O-CASTLE,
   PANAMPILLY NAGAR, KOCHI-36.

BY ADV. SRI.RASHEED C.NOORANAD

RESPONDENTS:
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1. THE DISTRICT REGISTRAR,
   OFFICE OF THE DISTRICT REGISTRAR,
   ERNAKULAM.

2. SUB REGISTRAR, SUB REGISTRAR OFFICE,
   ERNAKULAM.

BY GOVT. PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

THOTTATHIL B.RADHAKRISHNAN, J

W.P(C).No.5746 OF 2007

Dated this the 22nd day of February, 2007

JUDGMENT

Heard learned counsel for the petitioner and learned Government Pleader.

2. Married as per customary rights on 01.06.1975, the petitioners have two children. They now intend to go abroad in connection with the avocation of the first petitioner.

3. In the aforesaid circumstances, following the judgment of the Division Bench of this Court in **John Lukose** v. **District Registrar** {2007 (1) KLT 247} and the judgment in W.P(C). 3419/07, it is directed that the marriage of the petitioners will be registered in terms of Section 15 and 16 of Special Marriage Act, 1954, on their application, without awaiting for any noticed period. However, the second respondent shall put notice of such registration of marriage citing this judgment and if any valid objections are received from any quarter within 30 days,

petitioners would be put to notice of such objections in their respective address shown in this writ petition and the second respondent shall decide on such objections in accordance with law. If the objections are valid, the aforesaid registration of the marriage will be withdrawn. Let the registration be done within a period of three days of production of a copy of this judgment.

The writ petition is disposed of with the above directions.

THOTTATHIL B.RADHAKRISHNAN
Judge

kkb.